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and for all other similarly situated, counter-claimants

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

NATIONAL SEATING & MOBILITY, INC.,

Case No. 3:10-cv-02782-JSW

Plaintiff,

vs.

MICHAEL PARRY and DOES 1 through 20;
inclusive

**COUNTER-CLAIM DEFENDANT
NSM'S AND COUNTER-CLAIMANT
MICHAEL PARRY'S STIPULATION
TO CONTINUE NSM'S DEADLINE
TO OPPOSE PARRY'S MOTION FOR
CLASS CERTIFICATION and
PROPOSED ORDER**

Action Filed: March 3, 2010

MICHAEL PARRY, individually and on behalf
of all others similarly situated.

Counter-Claimant.

vs.

NATIONAL SEATING & MOBILITY, INC.

Counter-Claim Defendant.

1 It is hereby stipulated by and between the parties hereto, by and through their respective
2 counsel of record, Wilson, Elser, Moskowitz, Edelman & Dicker LLP representing National
3 Seating & Mobility, Inc. (“NSM”) and Mark P. Meuser representing Michael Parry (“Parry”),
4 subject to the order of the court, as follows:

5 Pursuant to the Court’s Order Vacating Case Management Conference and Setting Case
6 Management Deadlines, dated October 4, 2010, NSM’s deadline to file its opposition to Parry’s
7 Motion for Class Certification is currently August 5, 2011. Due to unavailability of a critical
8 declarant, NSM has been unable to finalize its opposition and supporting documents. *See*
9 Declaration of Ronald S. Bushner (hereinafter “Bushner Decl.”), filed concurrently herewith, at ¶
10 3.

11 As such, the parties request that the Court allow NSM to file its opposition to Parry’s Motion
12 for Class Certification on or before August 9, 2011. The Court previously granted Parry a short
13 extension of time to file his Motion for Class Certification. *See* Bushner Decl. at ¶ 4. The other
14 deadlines established in the Court’s October 4, 2010 Order, including Mr. Parry’s deadline to
15 reply to NSM’s opposition (August 26, 2011) and the scheduled date for the hearing on Mr.
16 Parry’s class certification motion (September 16, 2011), will remain unchanged as to minimize
17 any inconvenience to the Court.

18 Dated: August 4, 2011

Respectfully submitted,
WILSON, ELSER, MOSKOWITZ,
EDELMAN & DICKER, LLP

20 By: /s/
21 Ronald S. Bushner
22 Megan M. Lewis
23 *Attorneys for Plaintiff/Counter-claim
Defendant*

24 Dated: August 4, 2011

Respectfully submitted,
MEUSER LAW GROUP, INC.

25 By: /s/
26 Mark P. Meuser
27 *Attorneys for Defendant/Counter-claimant*

~~PROPOSED~~ ORDER

Good cause appearing therefore, the Stipulation and Proposed Order is hereby adopted by the Court. Counter-Claim Defendant NSM's opposition to Parry's Motion for Class Certification must be filed on or before August 9, 2011. The other dates specified in the Court's October 4, 2010 Order have not changed.

IT IS SO ORDERED.

Dated: August 5, 2011

By: 
HON. JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE